IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2391 OF 2002

IN

SUIT NO.1596 OF 1996

Green Garden Apartments Co-op. Housing Society Ltd. ... Plaintiffs

v/s

Nandkishore Gunaji Sawant and ors. ... Defendants

Mr P.N. Gunwani i/b M/s Soloman and Co. for Plaintiffs.

Mr Kamal Bulchandani with Mr Subhash Jha, Mr A.P. Rege, Ms Geeta Hatkar and Mr Joso Lopez for Defendants.

CORAM : D.K.DESHMUKH J.

DATE : 5TH AUGUST 2004

P.C.: -

1. This notice of motion has been taken up by the defendant No.1 virtually for execution of the order passed by this Court dated 23rd November 1998 in notice of motion No.1420 of 1996. The relief sought in this motion is that the defendant No.1 seeks reiteration of the order that is already made by the Court. If the order is passed by the Court, the remedy of the party lies elsewhere to get the order executed and not taking out motion for reiterating the order already passed. Hence, notice of motion is misconceived, it is disposed off. The defendant No.1 is directed to pay costs of this motion to the plaintiff as incurred by the plaintiff.

. Parties to act on the copy of this order duly authenticated by the Associate / Personal Secretary as true copy.

. Certified copy expedited.